

December 09, 2020

IIU concludes investigation into discharge of firearm by RCMP officer

The Independent Investigation Unit (IIU) has concluded its investigation into the discharge of a firearm by an RCMP officer during the course of a motor vehicle pursuit.

On March 2, 2020, the RCMP reported an incident to the IIU that occurred at approximately 12:45 p.m. that same day. Officers had responded to a call for service about a distraught male with a firearm. According to the RCMP, they had been advised the male had left a residence in a vehicle. Officers located and stopped the vehicle in the area of the Perimeter Highway, near Pipeline Road. As officers approached, the male once again attempted to flee in the vehicle. In an attempt to stop him, an officer discharged his firearm at the tire of the vehicle, causing it to stop.

Although no injuries were sustained, the IIU civilian director determined it was in the public interest for the unit to investigate, in accordance with Section 75 (1) of The Police Services Act.

IIU investigators interviewed the affected person, and interviewed, or reviewed RCMP recorded interviews of, seven civilian witnesses. Investigators also reviewed:

- witness officers' notes;
- GPS reports for RCMP vehicles;
- audio recording of 911 call;
- audio recording of RCMP radio transmissions;
- in car video recordings;
- the RCMP Major Crimes Unit (MCU) investigative summary;
- the Forensic Identification Services (FIS) report, scene video and photographs;
- RCMP policies on intervention options and on discharge of firearms; and
- RCMP training records of the officer who discharged his service weapon.

Following the completion of this investigation, the civilian director forwarded the IIU investigative file to Manitoba Prosecution Service (MPS) and requested a review and opinion on whether any Criminal Code charges should be authorized against the subject officer.

Following the review of the IIU investigative file and other material, MPS provided a written opinion, in which it was stated:

Manitoba Prosecution Service (MPS) has reviewed the IIU investigation of [SO]. While it is always in the public interest to hold police officers accountable, there must also be a reasonable likelihood of conviction for MPS to prosecute a matter. In this case, after considering all of the evidence we have concluded that there was a justifiable use of force by [SO]. Consequently, there should be no basis to lay any charge against him.

Accordingly, MPS will not authorize any criminal code charges against SO as there is no reasonable likelihood of conviction in this matter.

The investigation is now complete and the matter is closed. The affected person remains before the Court on charges arising out of this incident. The civilian director's complete report will be available online at www.iumanitoba.ca following disposition of the charges.

The details of this investigation were first announced on March 6, 2020.

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Media inquiries may be directed to:
Communications Services Manitoba
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Information on the IIU can be found at www.iumanitoba.ca or at www.twitter.com/IUManitoba